

Message Text

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ACTION EUR-12

INFO OCT-01 IO-10 ISO-00 CIAE-00 DODE-00 PM-03 H-02 INR-07

L-02 NSAE-00 NSC-05 PA-01 PRS-01 SP-02 SS-15 USIA-06

EB-07 COME-00 LAB-04 SIL-01 SAM-01 SAJ-01 /081 W

----- 011370

R 141301Z MAY 75

FM AMEMBASSY MADRID

TO SECSTATE WASHDC 1833

INFO AMEMBASSY LISBON

AMEMBASSY LONDON

AMEMBASSY PARIS

AMEMBASSY ROME

AMEMBASSY BONN

USEC BRUSSELS 1677

US MISSION GENEVA 673

LIMITED OFFICIAL USE MADRID 3284

E.O. 11652: N/A

TAGS: ELAB, SP

SUBJ: LABOR: SPAIN GRANTS MODIFIED RIGHT TO
STRIKE-SYNDICAL ELECTIONS CONVOKED

REF: MADRID 2964

SUMMARY: PAST WEEK HIGHLY SIGNIFICANT SINCE (A) NEW LABOR
MINISTER UNVEILED LONG-PROMISED DECREE-LAW GRANTING
MODIFIED RIGHT TO STRIKE FOR FIRST TIME IN FRANCO SPAIN,
AND (B) GOVT-CONTROLLED SPANISH SYNDICAL ORGANIZATION (SSO)
FINALLY ANNOUNCED CONVOCATION SSO SHOP STEWARD
ELECTIONS FOR NEXT MONTH. END SUMMARY

1. FOLLOWING MAY 9 CABINET MEETING, NEW LABOR MINISTER
FERNANDO SUAREZ ANNOUNCED CABINET APPROVAL LONG-AWAITED
DECREE-LAW GRANTING MODIFIED RIGHT TO STRIKE, WHICH
EXPECTED TO BE PROMULGATED IN NEXT FEW DAYS.

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2. MODIFIED RIGHT TO STRIKE, HOWEVER, IS HEAVILY CIRCUM-
SCRIBED. DECREEE-LAW PROVIDES FOR LEGAL STRIKE ONLY: (A)
AS LAST RESORT AFTER VARIOUS PRESCRIBED MEDIATION AND
CONCILIATION STEPS HAVE BEEN ATTEMPTED; (B) AS OPTION
LIMITED TO SPECIFIC LABOR ISSUES, PRIMARILY WHEN COLLECTIVE
BARGAINING CONTRACTS ARE UP FOR RENEGOTIATION; (C) WHEN
LIMITED TO FIRM OR FACTORY WHOSE WORKERS INVOLVED IN LABOR
DISPUTES; (D) WHEN MINIMUM 60 PERCENT WORKERS AFFECTED HAVE
VOTED TO STRIKE; AND (E) WHEN MINIMUM OF FIVE WORKING DAYS
WRITTEN ADVANCE NOTICE IS GIVEN FOLLOWING FAVORABLE
STRIKE VOTE. ADDITIONALLY, ALL LABOR DISPUTES MUST
BE CHANNLED THROUGH ELECTED SHOP STEWARDS UNDER AUSPICES
OF SSO.

3. ILLEGAL STRIKED UNDER DECREEE-LAW WOULD INCLUDE: (A)
ALL POLITICALLY-MOTIVATED STRIKES; (B) ALL SOLIDARITY
STRIKES BY WORKERS OR OTHERS NOT INVOLVED IN SPECIFIC
LABOR DISPUTE; (C) ALL STRIKES INVOLVING WORKER SIT-INS
OR FACTORY OCCUPATIONS; (D) STRIKES AT ANY PUBLIC SERVICES
OR AT INSTALLATIONS RELATED TO NATIONAL DEFENSE; AND(E)
ANY WILDCAT OR OTHER STRIKES WHICH DO NOT FOLLOW PRESCRIBED
PROCEDURES UNDER DECREEE-LAW.

4. WORKERS HENCEFORTH INVOLVED IN LEGAL STRIKES WILL
NOT BE SUBJECT TO FIRINGS OR OTHER SANCTIONS BUT WILL BE
DENIED PAY FOR DAYS ON STRIKE. WORKERS INVOLVED IN ANY OF
VARIOUS TYPES OF ILLEGAL STRIKES, HOWEVER, WILL, AS IN PAST,
BE SUBJECT TO FIRINGS AND OTHER SANCTIONS. NEW DECREE ALSO
PROVIDES SERIES OF STIFF FINES TO EMPLOYERS FOR LOCKOUTS
OF WORKERS INVOLVED IN LEGAL STRIKES.

5. MEANWHILE, ON MAY 5, SSO EXECUTIVE COMMITTEE ALSO
FINALLY ISSUED CONVOCATION FOR QUADRENNIAL SSO PLANT LEVEL
ELECTIONS FOR SHOP STEWARDS, WORKER REPS OF PLANT
LABOR-MANAGEMENT COMMITTEES, AND PLANT SYNDICAL DELEGATES,
WHICH WILL BE HELD PRIOR JUNE 30. (SSO OFFICIAL TOLD
LABATT IT WILL PROBABLY TAKE MOST OF JUNE TO CONDUCT
THESE ELECTIONS.)

6. SSO ALSO ISSUED ELECTORAL RULES, WHICH SURPRISINGLY
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LIBERAL, WITH MOST OF SPAIN'S WORKERS OVER 18 YEARS OF
AGE ELIGIBLE RUN FOR OFFICE. MOST CLANDESTINE LABOR
ORGANIZATIONS, RANGING FROM COMMUNIST-DOMINATED WORKERS
COMMISSIONS TO MODERATE CATHOLIC-ORIENTED USO, BUT
EXCLUDING SOCIALIST UGT, PLAN RUN CANDIDATES IN HOPE OF
CAPTURING SSO SHOP STEWARD POSITIONS. FROM WHICH SUBVERT SSO.

7. COMMENT: UNDER DECREEE-LAW'S RESTRICTIONS THERE STILL MAY

NOT BE MANY LEGAL STRIKES IN SPAIN PARTICULARLY
SINCE SO MANY SPANISH STRIKES ARE OF A WILDCAT NATURE, AND
INVOLVE SOME S POLITICAL OR SOLIDARITY ISSUES. EVEN SO,
DECREE-LAW IS STILL SIGNIFICANT SINCE IT IS FIRST TIME
ANY KIND OF STRIKE MAY BE CONSIDERED LEGAL IN FRANCO SPAIN.
NEW DECREE-LAW SPECIFICALLY USES TERM "STRIKE" FOR FIRST
TIME IN OFFICIAL LEXICON, ABANDONING SUCH PAST EUPHEMISMS
AS COLLECTIVE CONFLICT". DECREE-LAW WILL ALSO ENABLE
GOS TO REPLY TO ITS INT'L CRITICS BY POINTING OUT SPAIN
HAS NOW FINALLY GRANTED RIGHT TO STRIKE.

8. CONVOCAION SSO PLANT-LEVEL ELECTIONS ALSO SIGNIFICANT,
AND WILL POSSIBLY HAVE EFFECT SUBSTANTIALLY DIMINISHING
CURRENT STRIKE ACTIVITY AND LABOR UNREST, AS MOST WORKERS,
INCLUDING MUCH OF LABOR OPPOSITION, CONCENTRATE THEIR
ATTENTION ON CONTESTING IMPORTANT PLANT-LEVEL ELECTIONS.
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Message Attributes

Automatic Decaptioning: X
Capture Date: 01 JAN 1994
Channel Indicators: n/a
Current Classification: UNCLASSIFIED
Concepts: LABOR RELATIONS, LAW, LABOR STRIKES
Control Number: n/a
Copy: SINGLE
Draft Date: 14 MAY 1975
Decaption Date: 01 JAN 1960
Decaption Note:
Disposition Action: RELEASED
Disposition Approved on Date:
Disposition Authority: MorefiRH
Disposition Case Number: n/a
Disposition Comment: 25 YEAR REVIEW
Disposition Date: 28 MAY 2004
Disposition Event:
Disposition History: n/a
Disposition Reason:
Disposition Remarks:
Document Number: 1975MADRID03284
Document Source: CORE
Document Unique ID: 00
Drafter: n/a
Enclosure: n/a
Executive Order: N/A
Errors: N/A
Film Number: D750170-0130
From: MADRID
Handling Restrictions: n/a
Image Path:
ISecure: 1
Legacy Key: link1975/newtext/t19750554/aaaabwlp.tel
Line Count: 132
Locator: TEXT ON-LINE, ON MICROFILM
Office: ACTION EUR
Original Classification: LIMITED OFFICIAL USE
Original Handling Restrictions: n/a
Original Previous Classification: n/a
Original Previous Handling Restrictions: n/a
Page Count: 3
Previous Channel Indicators: n/a
Previous Classification: LIMITED OFFICIAL USE
Previous Handling Restrictions: n/a
Reference: 75 MADRID 2964
Review Action: RELEASED, APPROVED
Review Authority: MorefiRH
Review Comment: n/a
Review Content Flags:
Review Date: 09 APR 2003
Review Event:
Review Exemptions: n/a
Review History: RELEASED <09 APR 2003 by Izenbel0>; APPROVED <21 MAY 2003 by MorefiRH>
Review Markings:

Margaret P. Grafeld
Declassified/Released
US Department of State
EO Systematic Review
05 JUL 2006

Review Media Identifier:
Review Referrals: n/a
Review Release Date: n/a
Review Release Event: n/a
Review Transfer Date:
Review Withdrawn Fields: n/a
Secure: OPEN
Status: NATIVE
Subject: LABOR: SPAIN GRANTS MODIFIED RIGHT TO STRIKE-SYNDICAL ELECTIONS CONVOKED
TAGS: ELAB, SP
To: STATE
Type: TE
Markings: Margaret P. Grafeld Declassified/Released US Department of State EO Systematic Review 05 JUL 2006